

AMENDED IN SENATE MARCH 31, 1998

SENATE BILL

No. 1420

Introduced by Senator Rainey

January 20, 1998

An act to amend Sections 9000 and 9009 of the Penal Code, relating to electronic monitoring.

LEGISLATIVE COUNSEL'S DIGEST

SB 1420, as amended, Rainey. Continuous electronic monitoring: parolees, probationers, and jail inmates.

Existing law provides for the establishment of a pilot project in ~~San Diego County and San Mateo County~~ *the Counties of San Diego and San Mateo* that uses continuous electronic monitoring to keep track of the whereabouts of probationers and persons released from jail, establishes procedures and requirements for the electronic monitoring system's implementation, and requires the electronic monitoring system to have the capacity to communicate with the computer systems of law enforcement agencies. *Existing law requires the Boards of Supervisors of the Counties of San Diego and San Mateo to evaluate any pilot project conducted pursuant to these provisions and submit a report on the evaluation to the Legislature on or before January 1, 2000.*

Existing law also provides for the repeal of these provisions on January 1, 2001, unless a later enacted statute, that is enacted before January 1, 2001, deletes or extends that date.

This bill would authorize *the County of Contra Costa* ~~County~~ to participate in the pilot project, *would require the boards of supervisors for those 3 counties instead to submit a*

preliminary report on the evaluation to the Legislature on or before January 1, 2000, and a final report no later than January 1, 2002, and would change the repeal date from January 1, 2001, to January 1, 2003.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9000 of the Penal Code is
2 amended to read:

3 9000. (a) Notwithstanding any other provision of
4 law, the ~~board of supervisors in Contra Costa County, San~~
5 ~~Diego County, and San Mateo County~~ *Boards of*
6 *Supervisors of the Counties of Contra Costa, San Diego,*
7 *and San Mateo* may authorize the county probation
8 department or correctional administrator to create a pilot
9 project to utilize continuous electronic monitoring to
10 electronically monitor the whereabouts of probationers
11 and persons released from jail, as provided by this
12 chapter. The Department of Corrections and the
13 Department of the Youth Authority may participate in
14 the pilot projects authorized by this chapter for parolees
15 and persons released from custody by those departments
16 for continuous electronic monitoring to electronically
17 monitor the whereabouts of those persons in those
18 counties once the board of supervisors establishes a
19 county pilot project as provided by this chapter.

20 (b) Any program of continuous electronic monitoring
21 established pursuant to this chapter shall have as its
22 primary objective the enhancement of public safety
23 through the reduction in the number of people being
24 victimized by crimes committed by persons on parole or
25 probation or released from custody.

26 (c) It is the intent of the Legislature in enacting this
27 chapter to specifically expand the authority of a
28 supervising authority acting pursuant to this chapter to
29 implement a program of monitoring to include a system
30 of continuous electronic monitoring that conforms with
31 the requirements of this chapter.



(d) For the purposes of this chapter, “supervising authority” means the Department of Corrections, the Department of the Youth Authority, and a correctional administrator or probation department authorized by a board of supervisors to utilize continuous electronic monitoring.

(e) Operation of a pilot project authorized by a county board of supervisors pursuant to this chapter shall be contingent on ~~Contra Costa County, San Diego County, and San Mateo County~~ *the Counties of Contra Costa, San Diego, and San Mateo* obtaining sufficient funds for this purpose.

SEC. 2. Section 9009 of the Penal Code is amended to read:

9009. (a) The ~~Board of Supervisors of Contra Costa County, San Diego County, and San Mateo County~~ *Boards of Supervisors of the Counties of Contra Costa, San Diego, and San Mateo* shall evaluate any pilot project conducted pursuant to this chapter and submit a *preliminary* report on the evaluation to the Legislature on or before January 1, 2000; *and a final report thereon to the Legislature on or before January 1, 2002.*

(b) This chapter shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2003, deletes or extends that date.